

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

Case No. 2:18-cv-6501-JS-AKT

vs.

MARK BURNETT, JEFFREY MILLER,
CHRISTIAN ROMANDETTI, FRANK
SARRO, ANTHONY VASSALLO, ELITE
STOCK RESEARCH, INC.,

Defendants.

**DEFENDANT'S UNOPPOSED MOTION TO
ENLARGE TIME TO RESPOND TO COMPLAINT**

The Defendant Christian Romandetti, by and through his undersigned counsel, moves this Court pursuant to Fed. R. Civ. P. 6(b) for an extension of time up to and including February 4, 2019 to respond to the Plaintiff's Complaint. In support thereof, Defendants state the following:

1. On November 15, 2018, the Plaintiff filed its Complaint alleging violations of the Securities Exchange Act of 1934. *See* Doc. 1. The Complaint alleges a pattern of fraud beginning in 2013. *See id.*

2. Mr. Romandetti was served with the Complaint on December 7, 2018.

3. On December 21, 2018, the undersigned filed a Motion to be Appear Pro Hac Vice on behalf of Mr. Romandetti. *See* Doc. 21.

4. The Defendant requires additional time to respond to the Amended Complaint based on the extensive and historical nature of the allegations.

5. The undersigned has consulted with counsel for the Plaintiff, who does not oppose the requested extension. Plaintiff's counsel has advised that the other co-defendants have received a similar extension until February 4, 2019.

MEMORANDUM OF LAW

Federal Rule of Civil Procedure 6(b) allows a court to extend the deadline for responding to a complaint. This rule provides a court with wide discretion in granting enlargements of time. Moreover, requests for enlargement of time should be liberally construed. *See Yanofsky v. Wernick*, 362 F.Supp. 1005 (S.D.N.Y. 1973). The request is not being made to delay this action or prejudice any party.

WHEREFORE, the Defendant Christian Romandetti requests an extension of time up to and including February 4, 2019 to file a response to Plaintiffs' Amended Complaint.

DATED this 28th day of December, 2018.

/s/ Fritz Scheller

Fritz Scheller

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Attorney for Defendant Romandetti

CERTIFICATE OF SERVICE

On December 28, 2018, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to all parties of record.

/s/ Fritz Scheller

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